

Town Board Minutes

June 5, 2006

Meeting No. 18

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 5<sup>th</sup> day of June 2006 at 8:00 P.M. and there were

**PRESENT:** MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** DANIEL AMATURA, COUNCIL MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
TERRENCE McCracken, GENERAL CREW CHIEF  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

**EXECUTIVE SESSION:**

UPON MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER MONTOUR, to deliberate in Executive Session for the announced purpose of discussing a personnel matter in the Police Department and Assessors Office and a contractual matter regarding a new roof on the former ambulance garage, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

At 9:45 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

**PERSONS ADDRESSING TOWN BOARD:**

**Beutler, Daniel**, 26 Tyler Street, spoke to the Town Board on the following matter:

- Youth Bureau Tutors, Parks & Recreation Attendants and Highway Department appointment

**Zelasko, Elaine**, 263 Enchanted Forest North, spoke to the Town Board on the following matter:

- reassessment of property

**Masters, Carol & Robert**, 213 Enchanted Forest North, spoke to the Town Board on the following matter:

- reassessment of property

**Schneppenburger, Roy**, 87 Stony Road, spoke to the Town Board on the following matter:

- audited claims

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:31 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster as petitioned by Ron Surowick for a rezone of property located at 5352 & 5354 Genesee Street from a Residential Commercial Office District (RCO) to General Business (GB).

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Dan Beutler	26 Tyler Street	Questions

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER MONTOUR, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:36 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

June 5, 2006

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED,** that the minutes of the Joint Meeting of the Town Board and the Planning Board held May 15, 2006 and the Regular Meeting of the Town Board held May 15, 2006 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Dog Control Officer has recommended the appointment of  
Richard Walczak, 23 Chestnut Corner, Lancaster, New York 14086 to the position of Dog Control  
Officer, Part Time.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that **Richard Walczak**, 23 Chestnut Corner, Lancaster, New York  
14086 be and is hereby appointed to the position of Dog Control Officer, Part Time, with no  
health benefits, insurance, sick days, vacation or other benefits, effective immediately, and

**BE IT FURTHER**

**RESOLVED**, that the salary for this position is \$11.18 per hour which is 75% of  
the full salary of \$14.91, as set forth in the 2006 Schedule of Salaries.

The question of the adoption of the following resolution was duly put to a vote on  
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Highway Superintendent of the Town of Lancaster has requested the purchase of One (1) New Leaf Vacuum for the use of the Highway Department, and

**WHEREAS**, the Highway Committee of the Town Board recommends that such purchase be authorized;

**NOW THEREFORE, BE IT  
RESOLVED**, as follows:

2. That Bids be received by the Town Clerk on June 29, 2006 at 10:00 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) New Leaf Vacuum for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN**, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 29th day of June, 2006, for the purpose of providing One (1) New Leaf Vacuum to the Town of Lancaster for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN  
Town Clerk

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS, Mark J. Alberti**, d/b/a Alberti Landscaping Inc., 491 Erie Street, Lancaster, New York 14086, has submitted a Site Plan prepared by King Consulting Engineers, PC, dated April 13, 2006 and received April 13, 2006 for the proposed construction of a 7,182 square foot warehouse to be located at 491 Erie Street in the Town of Lancaster, and

**WHEREAS**, the Planning Board has reviewed the plan and at its meeting May 3, 2006 has recommended approval of this project, and

**WHEREAS**, a SEQR Review of this project was held June 5, 2006 and a Negative Declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Mark J. Alberti and prepared by King Consulting Engineers, PC, dated April 13, 2006 and received April 13, 2006 for the proposed construction of a 7,182 square foot warehouse to be located at 491 Erie Street in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services has awarded the Town of Lancaster Youth Bureau and Drug Abuse Prevention Council a grant for the period January 1, 2006 through December 31, 2006 in the amount of \$3,294 to fund the operation of a substance abuse prevention program, and

**WHEREAS**, the Town Board has authorized the Supervisor to enter into a Memorandum of Understanding between the Town of Lancaster Youth Bureau and WNY United Against Drug & Alcohol Abuse, Inc. for use of New York State Office of Alcoholism and Substance Abuse Services funds in the amount of \$3,294, and

**WHEREAS**, the Town Board desires to enter into a contract for New York State Office of Alcoholism Services funding for the amount of \$3,294;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Robert H. Giza, Supervisor of the Town of Lancaster is hereby authorized to enter into a Memorandum of Understanding between the Town of Lancaster Youth Bureau and WNY United Against Drug & Alcohol Abuse, Inc. for use of New York State Office of Alcoholism and Substance Abuse Services funds in the amount of \$3,294, to continue operation of a substance abuse prevention program through the Town of Lancaster Youth Bureau and Drug Abuse Prevention Council.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, a Public Hearing was held on the 5<sup>th</sup> day of June, 2006, on the petition of **Ronald Surowick**, for the rezone of certain property located at 5352 and 5354 Genesee Street, in the Town of Lancaster, New York from a Residential Commercial Office District (RCO) to General Business (GB), and

**WHEREAS**, the Planning Board of the Town of Lancaster at its meeting held May 17, 2006, recommended approval of the rezone, and

**WHEREAS**, a SEQR review was completed on the proposed rezone and project on June 5, 2006 and a Negative Declaration issued, and

**WHEREAS**, a Notice of said Hearing has been duly published and posted, and

**WHEREAS**, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a Residential Commercial Office District (RCO) to General Business (GB):

**5352 Genesee Street**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1189, is known as part of Subdivision Lots Nos. 11 and 12 and all of Subdivision Lots Nos. 13 and 14 in Block No. 3 and part of lands conveyed to Walter Love by deed recorded in Erie County Clerk's Office in Liber 1327 of Deeds at page 236, described as follows:

**BEGINNING AT A POINT** in the center line of Genesee Street, as laid out and as shown on said map filed in Erie County Clerk's Office under Cover No. 1189, at the distance of 715.80 feet westerly from the intersection of said center line of Genesee Street with the center line of Harris Hill Road (Said center line also being the east line of said Lot No. 5);

**THENCE** westerly along the center line of Genesee Street, 88 feet;

**THENCE** northerly at right angles with the center line of Genesee Street, 184 feet;

**THENCE** easterly and parallel with the center line of Genesee Street, 10 feet;

**THENCE** northerly at right angles, 80 feet to the north line of said Subdivision Lot No. 14;

**THENCE** westerly along the north line of said Subdivision Lots Nos. 12 and 14, 12 feet;

**THENCE** northerly at right angles, 98.19 feet;

**THENCE** southeasterly along the northerly line of lands conveyed to said Walter C. Love by deed recorded in Erie County Clerk's Office in Liber 1327 of Deeds at page 236, 101.80 feet to a point in a line drawn at right angles to Genesee Street;

**THENCE** southerly along said line drawn at right angles to Genesee Street through the point of beginning, a distance of 314.60 feet to the point or place of beginning.

**5354 Genesee Street**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Township of Lancaster, County of Erie and State of New York, being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and according to a map filed in Erie County Clerk's Office under Cover No. 1189, is known as parts of Subdivision Lots Nos. 9, 10, 11, 12, 14, 52, 54 and 55 in Block No. 3, described as follows:

**BEGINNING AT A POINT** in the center line of Genesee Street as laid out and shown on map filed in Erie County Clerk's Office under Cover No. 1189, distant 803.80 feet westerly from the intersection of said center line of Genesee Street with the easterly line of Lot No. 5;

**THENCE** northerly along the west line of lands conveyed by Mattie B. Love to Bryant E. Love and Ethel J., his wife by deed recorded in Erie County Clerk's Office in Liber 6180 of Deeds page 488, a distance of 184 feet to the northwest corner of lands conveyed by said deed;

**THENCE** easterly along the north line of lands so conveyed a distance of 10 feet to a point in the west line of lands conveyed to Mattie B. Love to Bryant E. Love and Ethel J., his wife by deed recorded in Erie County Clerk's Office in Liber 5115 of Deeds page 546;

**THENCE** northerly along the west line of lands so conveyed a distance of 80 feet to a point in the north line of Subdivision Lot No. 14, according to map filed in Erie County Clerk's Office under Cover No. 1189;

**THENCE** westerly along the north line of Subdivision Lots Nos. 14 and 12 a distance of 12 feet;

**THENCE** northerly a distance of 99.19 feet to a point;

**THENCE** northwesterly at an interior angle of 117° 52' 10" a distance of 105.20 feet to a point;

**THENCE** southerly a distance of 411.36 feet to a point in the center line of Genesee Street;

**THENCE** easterly a distance of 95 feet to the point of beginning.

2. That the Zoning Amendment is subject to the proponent/developer meeting the following conditions:

a) Rezone approval based on modifications to site plan.

b) Applicant agrees to limit hours of operation on Sunday from 12:00 p.m. to 10:00 p.m.

c) Applicant agrees to limit hours of operation on Monday thru Saturday inclusive from 10:00 a.m. to 10:00 p.m.

3. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 5<sup>th</sup> day of June, 2006;
4. That a certified copy thereof be published in the Lancaster Bee, on or before the 8<sup>th</sup> day of June, 2006;
5. That Affidavits of Publication be filed with the Town Clerk; and
6. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

**LEGAL NOTICE  
NOTICE OF ADOPTION OF AMENDMENT  
ZONING ORDINANCE, TOWN OF LANCASTER  
RONALD SUROWICK  
5352 AND 5354 GENESEE STREET**

**LEGAL NOTICE IS HEREBY GIVEN** that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from a Residential Commercial Office District (RCO) to General Business (GB)

**5352 Genesee Street**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1189, is known as part of Subdivision Lots Nos. 11 and 12 and all of Subdivision Lots Nos. 13 and 14 in Block No. 3 and part of lands conveyed to Walter Love by deed recorded in Erie County Clerk's Office in Liber 1327 of Deeds at page 236, described as follows:

**BEGINNING AT A POINT** in the center line of Genesee Street, as laid out and as shown on said map filed in Erie County Clerk's Office under Cover No. 1189, at the distance of 715.80 feet westerly from the intersection of said center line of Genesee Street with the center line of Harris Hill Road (Said center line also being the east line of said Lot No. 5);

**THENCE** westerly along the center line of Genesee Street, 88 feet;

**THENCE** northerly at right angles with the center line of Genesee Street, 184 feet;

**THENCE** easterly and parallel with the center line of Genesee Street, 10 feet;

**THENCE** northerly at right angles, 80 feet to the north line of said Subdivision Lot No. 14;

**THENCE** westerly along the north line of said Subdivision Lots Nos. 12 and 14, 12 feet;

**THENCE** northerly at right angles, 98.19 feet;

**THENCE** southeasterly along the northerly line of lands conveyed to said Walter C. Love by deed recorded in Erie County Clerk's Office in Liber 1327 of Deeds at page 236, 101.80 feet to a point in a line drawn at right angles to Genesee Street;

**THENCE** southerly along said line drawn at right angles to Genesee Street through the point of beginning, a distance of 314.60 feet to the point or place of beginning.

**5354 Genesee Street**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Township of Lancaster, County of Erie and State of New York, being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and according to a map filed in Erie County Clerk's Office under Cover No. 1189, is known as parts of Subdivision Lots Nos. 9, 10, 11, 12, 14, 52, 54 and 55 in Block No. 3, described as follows:

**BEGINNING AT A POINT** in the center line of Genesee Street as laid out and shown on map filed in Erie County Clerk's Office under Cover No. 1189, distant 803.80 feet westerly from the intersection of said center line of Genesee Street with the easterly line of Lot No. 5;

**THENCE** northerly along the west line of lands conveyed by Mattie B. Love to Bryant E. Love and Ethel J., his wife by deed recorded in Erie County Clerk’s Office in Liber 6180 of Deeds page 488, a distance of 184 feet to the northwest corner of lands conveyed by said deed;

**THENCE** easterly along the north line of lands so conveyed a distance of 10 feet to a point in the west line of lands conveyed to Mattie B. Love to Bryant E. Love and Ethel J., his wife by deed recorded in Erie County Clerk’s Office in Liber 5115 of Deeds page 546;

**THENCE** northerly along the west line of lands so conveyed a distance of 80 feet to a point in the north line of Subdivision Lot No. 14, according to map filed in Erie County Clerk’s Office under Cover No. 1189;

**THENCE** westerly along the north line of Subdivision Lots Nos. 14 and 12 a distance of 12 feet;

**THENCE** northerly a distance of 99.19 feet to a point;

**THENCE** northwesterly at an interior angle of 117° 52' 10" a distance of 105.20 feet to a point;

**THENCE** southerly a distance of 411.36 feet to a point in the center line of Genesee Street;

**THENCE** easterly a distance of 95 feet to the point of beginning.

**June 5, 2006**

**STATE OF NEW YORK    :**  
**COUNTY OF ERIE        :** ss:  
**TOWN OF LANCASTER :**

**THIS IS TO CERTIFY** that I, Johanna M. Coleman, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Ordinance on the 5th day of June, 2006 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto signed my hand and affixed the Seal of said Town this 5th day of June, 2006.

**(S E A L)**

\_\_\_\_\_  
Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS, Ronald Surowick,** has submitted a Site Plan prepared by DeanSutton Architects L.L.P. dated March 14, 2006 and received May 26, 2006 for the proposed construction of a new miniature golf course and ice cream stand to be located at 5352 and 5354 Genesee Street in the Town of Lancaster, and

**WHEREAS,** the Planning Board has reviewed the plan and at its meeting May 17, 2006 has recommended approval of this project, and

**WHEREAS,** a SEQR Review of this project was held June 5, 2006 and a negative declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Ronald Surowick and prepared by DeanSutton Architects L.L.P., dated March 14, 2006 and received May 26, 2006 for the proposed construction of a new miniature golf course and ice cream stand to be located at 5352 and 5354 Genesee Street in the Town of Lancaster conditioned on the following:

- 1) Only picnic tables allowed in 60 foot setback area.
- 2) Lights are to be recessed at low level. All lights are to be turned off at 10 P.M.
- 3) Drainage calculations to be reviewed by Town’s engineering consultant.
- 4) Landscaping plan must be approved by Crew Chief Terrence McCracken.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS, D.K. Greene Properties**, d/b/a/ G & K Sewer Construction Co., located at the southeast corner of Erie Street and Cemetery Road, Lancaster, New York has submitted a Site Plan prepared by King Consulting Engineers, PC, dated March 2006 and received March 31, 2006 for Phase I, the proposed construction of three buildings and a storage shed on the south part of a four acre parcel to be located at the southeast corner of Erie Street and Cemetery Road in the Town of Lancaster, and

**WHEREAS**, the Planning Board has reviewed the plan and at its meeting May 17, 2006 has recommended approval of this project, and

**WHEREAS**, a SEQR Review of this project was held June 5, 2006 and a negative declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by D. K. Greene Properties and prepared by King Consulting Engineers, PC, dated March 2006 and received March 31, 2006 for Phase I, the proposed construction of three buildings and a storage shed on the south part of a four acre parcel to be located at the southeast corner of Erie Street and Cemetery Road in the Town of Lancaster conditioned on the following:

- 1) Only buildings shown on the south side of the site plan are to be built.
- 2) Applicant must return to Planning Board before Phase II can be built.
- 3) No lighting on site other than wall-pack lights.
- 4) Landscape plan must be approved by General Crew Chief Terrence McCracken.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Executive Director of the Youth Bureau, by letter dated May 31, 2005, has recommended appointments for the Youth Bureau's 2006 Exam Preparation and Summer Programs.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to positions in the Youth Bureau's 2006 Exam Preparation and Summer Programs of the Town of Lancaster effective June 5, 2006 at the following rates:

Name	Position	Rate
Jennifer Blank (rehire) 17 Shadyside Lane Lancaster, New York	Tutor	\$15.75 hr.
Jessica Allen (rehire) 23 Patton Lane Cheektowaga, New York	Tutor	\$15.75 hr.
Cheryl Jankiewicz (rehire) 38 West Home Road Bowmansville, New York	Tutor	\$15.50 hr.
Sarah Deeg (new hire) 43 B Alcona Avenue Amherst, New York	Tutor	\$15.00 hr.
Michael Domino (new hire) 29 Brunck Road Lancaster, New York	Tutor	\$15.00 hr.
Gregory Heer (rehire) 3611 Eric Trail Blasdell, New York	Tutor	\$15.50 hr.
Amy Doody (rehire) 43 Starlite Avenue Cheektowaga, New York	Tutor	\$16.00 hr.
Kristin Reddien (rehire) 3901 Bowen Road #71 Lancaster, New York	Tutor	\$15.50 hr.
April Rudnicki (rehire) 3905 Bowen Road #45 Lancaster, New York	Tutor	\$15.50 hr.
Melissa Reedy (rehire) 265 Lake Street Hamburg, New York	Tutor	\$16.00 hr.
Brett Miller (new hire) 5636 Broadway Lancaster, New York	Tutor	\$15.00 hr.



Kelly Warrington (rehire) 79 Tyrell Street Depew, New York	Tutor	\$15.75 hr.
Julie Roberts (rehire) 19 Greenbriar Drive Lancaster, New York	Tutor	\$15.00 hr.
Michelle Ebert (rehire) P.O. Box 437 Lake View, New York	Tutor	\$15.50 hr.
Lynn Dalfonso (rehire) 60 Village View Lancaster, New York	Choreographer Summer Theatre Workshop	\$16.00 hr.
Julie Arlotta (rehire) 101 Mead Street North Tonawanda, New York	Music Director/Accompanist Summer Theatre Workshop	\$15.50 hr.
Robert Pacillo (rehire) 50 Lincoln Avenue Kenmore, New York	Music Director/Accompanist Summer Theatre Workshop	\$15.50 hr.
Cheryl Glose (rehire) 9 Country Place Lancaster, New York	Technical Director Summer Theatre Workshop	\$16.00 hr.
Jennifer Dobmeier (new hire) 70 Barnabas Drive Depew, New York	Music Director/Accompanist Summer Theatre Workshop	\$15.00 hr.
Jonathan Chimera (new hire) 128 North Drive Amherst, New York	Drama Director Summer Theatre Workshop	\$15.00 hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

File: Rpers.seasonal (P2-3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the hours of operation for Town Offices were set by resolution adopted by the Town Board on January 3, 2006, and

**WHEREAS**, many individuals are desirous of flexible working hours during the summer months.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board authorizes department heads to incorporate, at their discretion, flexible working hours for the period commencing with the first Monday in June through the second Friday in September, with employees rotating working hours between 8:00 A.M. to 4:00 P.M. and 9:00 A.M. to 5:00 P.M., with all employees required to take the usual 1-hour lunch break, and always ensuring that at least one (1) individual covers the office between the required Town office hours of 9:00 A.M. and 5:00 P.M.

**BE IT FURTHER**

**RESOLVED**, that the policy applies to the following departments:

Town Clerk	Courts
Assessor	Town Attorney
Building Inspector	Engineering
Parks & Recreation	Youth Bureau
Supervisor	

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, Nussbaumer and Clarke, Inc. 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219-1494 submitted a proposal to revise and update the report to the Town dated March 3, 2006 regarding the water modeling study on a portion of the water system in the Town of Lancaster, to wit: that part of the system running from the Village line north to Wehrle Drive, and

**WHEREAS**, the Town Board has given due review and consideration to the proposal and deems it in the public interest to revise and update the report regarding the water modeling study completed to provide the Town with hydraulic information regarding the water system in this area of the Town to afford the Town Board the ability to increase water pressure in the northwest quadrant of the Town, west of Central Avenue and Harris Hill from the Village line north to Wehrle Drive;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposal of Nussbaumer and Clarke, Inc. to revise and update the report on the water modeling study and authorizes the Supervisor to enter into an agreement with Nussbaumer and Clarke, Inc. in a sum not to exceed \$2,000.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the General Crew Chief, by letter dated June 1, 2006, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the summer season of 2006, and

**WHEREAS**, these appointments are necessary due to previously appointed employees declining the positions and to provide staffing for a new playground site.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals are hereby appointed to the position of seasonal employees for the summer season of 2006 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Stephen Crane (new hire) 80 Southpoint Drive Lancaster, New York	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Justin Gritzke (new hire) 12 Milton Drive Lancaster, New York	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Katie Herdzik (new hire) 10 Rose Hill Circle Lancaster, New York	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Jessica Koerner (new hire) 73 Newberry Lane Lancaster, New York	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Mary Saxer (new hire) 46 Old Post Road Lancaster, New York	Recreation Attendant (Playground Attendant)	\$6.75 hr.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

File: Rpers.seasonal (P5)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Highway Superintendent, by letter dated June 1, 2006  
has requested the appointment of a seasonal employee in the Highway Department of the Town  
of Lancaster for the summer season of 2006, and

**WHEREAS**, this appointment is necessary due to a previously appointed  
employee declining the position and the excessive workload within the Highway Department .

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual is hereby appointed to the  
position of seasonal employee for the summer season of 2006 in the Highway Department of the  
Town of Lancaster, effective June 6, 2006 through August 25, 2006, with no benefits, at the  
following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Andrew Wienckowski 162 S. Irwinwood Road Lancaster, New York	Laborer, seasonal	\$8.50

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary  
action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

File: Rpers.seasonal (P7)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the  
Director of Administration and Finance, to wit:

Claim No. 2362 to Claim No. 2619 Inclusive

Total amount hereby authorized to be paid: \$402,862.85

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby  
reaffirmed:

**CODES:**

**(SW)** = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are  
waived for this permit.

**(CSW)** = Conditional sidewalk waiver.

**(V/L)** = Village of Lancaster

**NEW PERMITS:**

13690	Rite Aid	11 W Main St	Er. Comm. Alt.	(V/L)
13698	Iroquois Fence Inc	23 Stream View Ln	Er. Fence	
13699	Wargula	450 Lake Ave	Er. Res. Add.	
13700	J Gun Ent Inc	1711 Como Park	Er. Pool-Abv Grnd	(V/L)
13701	H.D. Unlimited	83 Brunck Rd	Er. Pool-Abv Grnd	
13702	Javen Construction	4777 Transit Rd	Er. Comm.Add./Alt.	
13703	Transit French Assoc.	4779 Transit Rd	Er. Sign-Temp	
13704	Mike Vallely	24 Apple Blossom	Er. Pool-Abv Grnd	
13705	Iroquois Fence Inc	24 Apple Blossom	Er. Fence	
13706	City Fence Inc	96 Bowen Ave	Er. Fence	(V/L)
13707	Forbes-Capretto Homes	61 Kennedy Ct	Er. Dwlg.-Sin.	
13708	SW Bochicchio Builders	137 William Kidder	Er. Dwlg.-Sin.	
13709	J M Richardson Homes	3 Ryan St	Er. Dwlg.-Sin.	
13710	L J Builders	5011 William St	Er. Res. Add.	
13711	Kaz Brothers Const.	6407 Genesee St	Er. Res. Add.	
13712	San Filippo, Salvatore	49 Sussex Ln	Er. Res. Alt.	
13713	Atlantic Equity Partners	4907 Transit Rd	Er. Sign-Temp	
13714	Crist Contracting	52 Michael's Walk	Er. Res. Alt.	
13715	Slivan Pools & Const	5688 Genesee St	Er. Pool-Abv Grnd	
13716	Glamour Pools	1276 Ransom Rd	Er. Fence	
13717	Glamour Pools	1276 Ransom Rd	Er. Pool-In Grnd	
13718	Hora, Bruce	73 Stony Brook Dr	Er. Shed	
13719	Hora, Bruce	73 Stony Brook Dr	Er. Res. Alt.	
13720	Gustas, Paul	511 Aurora St	Er. Deck	
13721	Nichter, Robert	41 Hinchey Ave	Er. Res. Alt.	(V/L)
13722	Dublino, Thomas	55 Fox Hunt Rd	Er. Deck	
13723	Ulrich Sign Co	4304 Walden Ave	Er. Sign	
13724	Heritage Fence Co	139 Nathan's Trl	Er. Fence	
13725	Salemi, Dennis	238 Enchanted Forest	Er. Shed	
13726	Fox Fence Inc	9 Willow Ridge Ln	Er. Fence	
13727	Gilmour, Susan	58 Village View	Er. Fence	

13728	Marrano/Marc Equity Inc	30 Chicory Ln	Er. Dwlg.-Sin.	
13729	Marrano/Marc Equity Inc	28 Red Clover Ln	Er. Dwlg.-Sin.	
13730	Marrano/Marc Equity Inc	12 Red Clover Ln	Er. Dwlg.-Sin.	
13731	Marrano/Marc Equity Inc	19 Chicory Ln	Er. Dwlg.-Sin.	
13732	Custom Patio Rooms	5078 William St	Er. Res. Add.	
13733	Gary Pool Sales	612 Harris Hill Rd	Er. Pool-Abv Grnd	
13734	Majestic Pools Inc	4 Old Orchard Comm	Er. Pool-Abv Grnd	
13735	Majestic Pools Inc	33 Southwest Pky	Er. Pool-Abv Grnd	(V/L)
13736	Pilecki, Brian	25 Cobblestone Ct	Er. Deck	
13737	Oasis Irrigation	7 Beatrix Cir	Inst. Sprinkler System	
13738	Patio Enclosures Inc	10 Partridge Walk	Er. Res. Add.	
13739	Forsyth, Debra	9 Oakwood Comm	Er. Shed	
13740	Lovejoy Builders Inc	7 Joseph Dr	Er. Dwlg.-Sin.	
13741	Reese, Aaron	8 Avian Way	Er. Deck	
13742	H.K.B. Of Buffalo	34 Grafton Ct	Er. Deck	
13743	Duro-Shed Inc	2 Overlook Ct	Er. Shed	
13744	Dolegala, Gary	12 Grafton Ct	Er. Deck	
13745	Pickett Fence	2249 Como Park Blvd	Er. Fence	
13746	Manetta, Anthony	10 Ashwood Ct	Er. Shed	
13747	Myers, Erin	66 Creekwood Dr	Er. Shed	
13748	Namingha, Warren	138 Court St	Er. Res. Alt.	(V/L)
13749	Klaczky, Robert	29 Michael's Walk	Er. Fence	
13750	Sweeney, Tommy	22 Ashwood Ct	Er. Deck	
13751	Billen, Brian	13 Regency Ct	Er. Fence	
13752	Depczynski, Brian	21 Fourth Ave	Er. Fence	(V/L)
13753	Gramza, Ron	634 Pleasant View Dr	Er. Shed	
13754	Lovejoy Builders Inc	48 Lake Forest Pky E	Er. Res. Add.	
13755	Wienchowski, Stanley	207 Ransom Rd	Er. Res. Add.	
13756	Hill, James	736 Aurora St	Er. Deck	
13757	Forbes-Capretto Homes	43 Sawgrass Ln	Er. Dwlg.-Sin.	
13758	Whitelf, Pat	32 Apple Blossom	Er. Deck	
13759	Duro-Shed Inc	291 Seneca Pl	Er. Shed	
13760	Glinski, Daniel	17 Apple Blossom	Er. Deck	
13761	Oasis Irrigation	64 Kennedy Ct	Inst. Sprinklers	
13762	Marrano/Marc Equity	14 Chicory Ln	Er. Dwlg.-Sin.	
13763	Rich Pools	73 Michael's Walk	Er. Pool-Abv Grnd	
13764	Duro-Shed Inc	507 Pleasant View Dr	Er. Shed	
13765	DPC Inc	6511 Transit Rd	Er. Comm. Alt.	
13766	Kauschinger, Brian	18 Christen Ct	Er. Shed	(V/L)
13767	Rich Pools	361 Broezel Ave	Er. Pool-Abv Grnd	
13768	Marrano/Marc Equity	7 Sweet Brier Ct	Er. Dwlg.-Sin.	
13769	Brown, Kirk	20 Kurtz Ave	Er. Deck	(V/L)
13770	McCubbin, Kathy	127 Norris Ave	Er. Fence	(V/L)
13771	H-D Unlimited Inc	8 Peachtree Ct	Er. Pool-Abv Grnd	



**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006  
File: Rbldg2

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

Council Member Stempniak moved to suspend the necessary rules for immediate consideration of the following resolutions, seconded by Council Member Ruffino, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

**SUSPENSION GRANTED**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has been aware for some time of the need for additional parking for the Town Library Building on Broadway in the Village of Lancaster, and

**WHEREAS**, a property has now become available for purchase on School Street in the vicinity of the Library which will be able to accommodate parking for approximately 38 cars, and

**WHEREAS**, the Town has had an appraisal completed and is desirous of making an offer on the property in conformance with the appraisal;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of Town of Lancaster hereby authorized the Supervisor of the Town of Lancaster to execute a purchase offer for the School Street property in an amount not to exceed the appraised value of the property.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

**SUSPENSION GRANTED**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, AVR Builders, Inc., 300 International Drive, Williamsville, New York 14221 has heretofore applied for approval of a 10 lot patio home development on a 15 +/- acre parcel to be known as “Larkspur East Patio Homes Subdivision” located off the eastern terminus of Primrose Lane in the existing Larkspur Acres Subdivision in the Town of Lancaster, and

**WHEREAS**, the Planning Board and Town Engineer have given their approval to the filing of this Subdivision, and

**WHEREAS**, the Town acting as lead agency has completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations and issued a Negative Declaration on March 13, 2006, and

**WHEREAS**, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed development;

**NOW, THEREFORE, BE IT  
RESOLVED, as follows:**

1. That the Town Board of the Town of Lancaster hereby approves the proposed 10 lot patio home development plan for AVR Builders, Inc., prepared by Greenman-Pedersen, Inc. dated May 11, 2006 and filed with the Town Clerk on May 16, 2006 to be known as “Larkspur East Patio Homes Subdivision”, for filing in the Erie County Clerk’s office subject to the following conditions:

(a) That the developer place at least three monumentation markers at 25 foot intervals designating the 100 foot adjacent area to the New York State Wetland on sublots 5 and 6;

(b) That the developer create a turnaround on the access road at the east terminus of Primrose Lane over the public drainage easement running southerly adjacent to subplot 6.

(c) That the developer clean and regrade the detention basin which is a public improvement to the satisfaction of the Town Engineer and provide a two year maintenance bond to the Town upon acceptance of the basin.

2 That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, Alan Randaccio, 300 International Drive, Williamsville, New York, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Larkspur East Patio Homes Subdivision, and

**WHEREAS**, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Public Improvement Permit Applications Nos. 612, 613, and 614, of Alan Randaccio, 300 International Drive, Williamsville, New York , for the installation of:

P.I.P. No. 612 (Storm Sewer)	Construction of Larkspur East Patio Homes on Primrose Lane, 175 L.F. of 15" H.D.P.E., 161 L.F. of 12" H.D.P.E., 290 L.F. of 10" H.D.P.E., 2 ea. road receivers, 1 ea. 48" dia. manhole, 6 ea. light duty receivers.
P.I.P. No. 613 (Water Line)	Construction of Larkspur East Patio Homes on Primrose Lane, 250 ± L.F. of 8" PVC (C-900) waterline, (1) 2" blow-off.
P.I.P. No.614 (Pavement & Curb)	Construction of Larkspur East Patio Homes on Primrose Lane, 8,680 S.F. of pavement (28' wide) with 12" subbase, 4" NYSDOT Type 1 Base, 2" NYSDOT Type 3 binder, 1" NYSDOT Type 7 Top, 620 L.F. of 6" HDPE (perforated) underdrain, 620 L.F. of 20" or 24" type “BB” concrete curbing, 2,520 S.F. of access driveway, 8" stone subbase, 2" NYSOT Binder Type 3, 1" NYSDOT Type 7F top. 1 standard town barricade.

be and are hereby authorized.  
The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 5, 2006  
File: RPIP (P2)

## **COMMUNICATIONS & REPORTS:**

285. General Crew Chief to Planning Bd, Council Members Montour, Ruffino, & Stempniak - Notice of acceptance of landscape plans for Tae Kwon Do Studio, 4901 Transit Road; need for submittal of landscape plans for Buffalo Redi-Mix Company, e/s of Harris Hill north of I-90 overpass. DISPOSITION = Planning Committee
286. Erie County Division of Highways to Greenman-Pederson, Inc. - Comments regarding proposed Parkhaven Patio Homes, Bowen Road south of Broadway. DISPOSITION = Planning Committee
287. Erie County Division of Highways to Greenman-Pederson, Inc. - Comments regarding revised plans for proposed Parkhaven Patio Homes, Bowen Road south of Broadway. DISPOSITION = Planning Committee
288. Erie County Department of Environment & Planning to Town Attorney - Comments regarding proposed Parkhaven Patio Homes, Bowen Road south of Broadway. DISPOSITION = Planning Committee
289. Erie County Department of Environment & Planning to Supervisor - Notification of Lead Agency Designation regarding proposed Alberti Rental Storage, Erie Street, east of Cemetery Road; comments and recommendation noted. DISPOSITION = Planning Committee
290. NYS DEC to Town Attorney & Windsor Ridge Partners - Comments and concerns regarding SEQR lead agency designation for proposed Windsor Ridge South Subdivision. DISPOSITION = Planning Committee
291. General Crew Chief to Supervisor - Request resolution to award contract to Besch Mechanical, Inc. for replacement of the Lancaster Library air conditioner. DISPOSITION = Resolution 5/15/06
292. Roy Schneggenburger to Town Board - Letter regarding sunshine laws. DISPOSITION = Received & Filed
293. Highway Superintendent to Town Board - Concerns regarding final plans for Larkspur East Patio Homes. DISPOSITION = Planning Committee
294. Non-Lancaster Residents to Town Board - Petition in favor of proposed Miniature Golf Course, 5352 - 5354 Genesee Street. DISPOSITION = Received & Filed
295. Lancaster Residents to Town Board - Petition in favor of proposed Miniature Golf Course, 5352 - 5354 Genesee Street. DISPOSITION = Received & Filed
296. NYS DEC, Division of Water to Town Board - Notice of available funds for Dam Safety Projects. DISPOSITION = Received & Filed
297. National Church Residences to Supervisor - Notice of submittal of application for federal funding to develop senior housing at 4628 Walden Avenue. DISPOSITION = Town Attorney
298. General Crew Chief to Planning Bd, Council Members Montour, Ruffino, & Stempniak - Notice of approval from Town Forestry Department regarding site plan for proposed D.K. Greene Properties (G & K Sewer/Warehouse) s.e. corner of Cemetery Road & Erie Street. DISPOSITION = Planning Committee
299. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Deputy Town Attorney, Highway Superintendent, Building Inspector - Draft copy of minutes of meeting held May 17, 2006. DISPOSITION = Received & Filed

300. Planning Board to Town Board -  
Recommend approval of site plan for proposed Miniature Golf Course, 5352 - 5354  
Genesee Street; conditions noted. DISPOSITION = Resolution 6/5/06
301. Planning Board to Town Board -  
Recommend approval of rezone petition for Miniature Golf Course, 5352 - 5354  
Genesee Street; conditions noted. DISPOSITION = Resolution 6/5/06
302. Planning Board to Town Board -  
Recommend approval of site plan for proposed Buffalo Redi-Mix Company, e/s of  
Harris Hill north of I-90 overpass; conditions noted. DISPOSITION = Planning  
Committee
303. Planning Board to Town Board -  
Recommend approval of site plan for proposed Tae Kwon Do Studio, 4901 Transit  
Road; conditions noted. DISPOSITION = Planning Committee
304. Planning Board to Town Board -  
Recommend approval of site plan for proposed D & K Greene Properties (G & K  
Sewer/Warehouse) s.e. corner of Cemetery Road & Erie Street; conditions noted.  
DISPOSITION = Resolution 6/5/06
305. Dog Control Officer to Town Board -  
Request to hire Richard Walczak as Assistant Dog Control Officer, Part-Time.  
DISPOSITION = Resolution 6/5/06
306. Greater Buffalo-Niagara Regional Transportation Council to Town Board -  
Notice of meeting to be held Wednesday, June 7, 2006 at 9:30 AM in Cheektowaga.  
DISPOSITION = Received & Filed
307. Roy Schneggenburger to Planning Board -  
Letter regarding printed meeting agendas for Planning Board Meetings.  
DISPOSITION = Received & Filed
308. Highway Superintendent to Town Board -  
Request resolution to purchase new leaf vacuum. DISPOSITION = Resolution 6/5/06
309. Elaine and Mike Silver to Supervisor -  
Letter of appreciation for landscaping work on cul-de-sacs on Valley Overlook Drive  
and Overlook Court. DISPOSITION = Received & Filed
310. Highway Superintendent to Town Board -  
Request bond resolution to finance purchase of new plow trucks. DISPOSITION =  
Town Attorney
311. NYS DOT to Town Attorney -  
Letter regarding SEQR/Site Plan for Cross Creek Subdivision. DISPOSITION =  
Received & Filed
312. NYS DOT to Town Attorney -  
Notice of Lead Agency Designation regarding Buffalo Redi-Mix Company, e/s of Harris  
Hill north of I-90 overpass; comment noted. DISPOSITION = Planning Committee
313. General Crew Chief to Planning Bd, Council Members Montour, Ruffino, & Stempniak -  
Notice of approval from Town Forestry Department regarding revised landscape plan for  
Alberti Landscaping, s/s Erie Street, east of Cemetery Road. DISPOSITION =  
Resolution 6/5/06
314. Bowmansville United Methodist Church to Supervisor -  
Letter of support for proposed Miniature Golf Course, 5352 - 5354 Genesee Street.  
DISPOSITION = Resolution 6/5/06

315. Fine Line Technical Services to King Consulting Engineers, PC -  
Letter regarding soil and wetland investigation for proposed Alberti Landscaping, s/s  
Erie Street, east of Cemetery Road. DISPOSITION = Resolution 6/5/06
316. Duplicate
317. Town Attorney to Town Board, Planning Board -  
Notice of SEQR meeting to be held Monday, June 5, 2006, 6:30 PM regarding Harris  
Hill Miniature Golf and Alberti Landscaping. DISPOSITION = Received & Filed
318. Town Clerk to Various News Media -  
Notice of SEQR meeting to be held Monday, June 5, 2006, 6:30 PM regarding Harris  
Hill Miniature Golf and Alberti Landscaping. DISPOSITION = Received & Filed
319. William Schutt & Associates to Supervisor -  
Transmittal of completed Municipal Compliance Certification Form and Stormwater  
Management Program Annual Report. DISPOSITION = Received & Filed
320. Don Pablo's Mexican Kitchen to Town Clerk -  
Advisement of liquor license renewal application. DISPOSITION = Town Attorney
321. Erie County Division of Highways to Town Attorney -  
Notification of Lead Agency designation regarding proposed D & K Greene Properties  
(G & K Sewer/Warehouse) s.e. corner of Cemetery Road & Erie Street; comment noted.  
DISPOSITION = Resolution 6/5/06
322. TVGA Consultants to Town Clerk -  
Notice of completion of DEIS of the NYS Thruway - Williamsville Toll Barrier  
Improvement Project and availability of the document for public review in Office of the  
Town Clerk. DISPOSITION = Received & Filed
323. Concerned Town Residents to Town Board -  
Request for reduced speed limit on Simme Road. DISPOSITION = Police Chief
324. General Crew Chief to Supervisor -  
Request for agreement with Village of Lancaster to provide playground program at  
W. Drullard Fire Hall and to hire seasonal employees. DISPOSITION = Town Attorney
325. Highway Superintendent to Town Board -  
Request appointment of seasonal employee. DISPOSITION = Resolution 6/5/06
326. Town Clerk to Town Board -  
Transmittal of fourth settlement of 2006 County/Town Tax Warrant. DISPOSITION =  
Received & Filed

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER STEMPIAK, SECONDED BY COUNCIL  
MEMBER RUFFINO AND CARRIED,** the meeting was adjourned at 9:45 P.M.

Signed \_\_\_\_\_  
Johanna M. Coleman, Town Clerk